

Legislative Fiscal Bureau

Fiscal Note

HF 249 - Possessing Flunitrazepam (LSB 2076 HV)

Analyst: Jennifer Dean (Phone: (515) 281-7846) (jennifer.dean@legis.state.ia.us)

Fiscal Note Version — New

Description

House File 249 relates to the manufacture, delivery, possession with the intent to manufacture or deliver, or conspiring to manufacture, deliver, or possess with the intent to manufacture or deliver flunitrazepam (date rape drug). House File 249 also increases the penalty from an aggravated misdemeanor to a Class D felony.

Assumptions

1. In FY 2002, under Section 124.401(1)(d), Code of Iowa, there were 61 offenders convicted of an aggravated misdemeanor for drug delivery.
2. There have been no known incidents of flunitrazepam delivery in the State of Iowa.
3. House File 249 increases the penalty of the criminal offenses related to flunitrazepam from an aggravated misdemeanor to a Class D felony.

Correctional Impact

It is anticipated that HF 249 will not have a significant correctional impact. If law enforcement would target flunitrazepam in the future, there may be more Class D felony convictions. The average length of stay for one inmate for a Class D felony is 15 months compared to an aggravated misdemeanor, which is 8 months. It is anticipated that HF 249 would not result in any significant increase in community supervision time.

Fiscal Impact

The fiscal impact of HF 249 cannot be determined, but is not expected to be significant. There are currently no reported cases of delivery of flunitrazepam in the State. One conviction would increase court costs from \$76 per case to \$195 per case, and if the case would involve a jury trial, the costs would increase from \$466 to \$1,235 per case. Prison costs would increase from \$2,880 to \$5,400 per case.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning
Judicial Branch
Department of Public Safety

/s/ Dennis C Prouty

February 25, 2003

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
